



Roswell Planning & Zoning Commission Minutes

Tuesday, July 26, 2016 - 6:00 PM

Bassett Auditorium, Roswell Museum and Art Center

100 West 11th Street

Chair: Ralph Brown, Vice Chair: Riley Armstrong

Members: Shirley Childress, Toby Gross, David Storey,
Kent Taylor, Jesse McDaniel

Planning Staff: Merideth Hildreth, AICP

William Morris, AICP, CZO

Louis Najar, PE

A. CALL TO ORDER AND WELCOME – Chair Ralph Brown

A regular meeting of the Planning & Zoning Commission was called to order at approximately 6:02 p.m. by Chair Brown with the following members present:

B. ROLL-CALL

Ralph Brown (Chair)	PRESENT
Riley Armstrong (Vice Chair)	PRESENT
Toby Gross	PRESENT
Shirley Childress	PRESENT
David Storey	PRESENT
Kent Taylor	PRESENT
Jesse McDaniel	ABSENT

Staff Members Present: Merideth Hildreth, AICP, Current Planning Administrator; and William Morris, AICP, CZO, Planning Manager; Louis Najar, P.E., Director of Planning & Engineering

Audience Members Present: Albert Ortega, City Councilor Jason Perry, Larry Connolly.

C. SWEARING IN: Chair Brown swore in staff and members of the audience.

D. APPROVAL OF THE AGENDA

MOTION to Approve the Agenda as written by Commissioner Gross.

Second by Commissioner Childress.

The motion passed by a vote of six to zero.

E. MINUTES: Consider approval of the June 28, 2016 minutes.

Commissioner Childress pointed out that the spelling of Sherrill Lane was incorrect in the first paragraph and would like it corrected.

MOTION to Approve the June 28, 2016 Minutes as corrected by Commissioner Childress.

Second by Commissioner Storey.

The motion passed by a vote of six to zero.

F. PUBLIC HEARING ITEMS:

1. **CASE 16-09 (ZC): A Request for Zone Change from MHC to C-2, Lot 1 of VILLA MOBILE HOME PARK SUMMARY PLAT, known as 301 East 19th Street, Mellgren/Owner.**

Motion to Waive the Reading of the Finding of Facts with Respect to Case 16-10 by Commissioner Armstrong.

Second by Commissioner Storey.

The motion passed by a vote of six to zero.

Mr. Morris: This is a request to change zoning from mobile home(MHC), to C-2 to create medical, possibly out-patient surgical center. Site development criteria will involve construction of a wall at rear of property. Staff determined this is consistent with area and recommend approval of zoning change.

Commissioner Gross: Asked Mr. Najar his opinion of the project.

Mr. Najar: We are excited about this development. The project will have to turn in a drainage plan, sidewalk plan, and total site development plan. I agree with Bill that it is compatible with the development of commercial and office on 19th.

Chair Brown: Is there anyone wishing to speak in favor of 16-09?

There were none who spoke.

Chair Brown: Is there anyone wishing to speak against or have comments or questions regarding Case 16-09?

There were none who spoke.

MOTION: CASE 16-09

Commissioner Storey made a motion to approve Case 16-09 based on finding of facts, testimony provided, and staff comments.

Second by Commissioner Childress.

The motion passed by a vote of six to zero.

2. **CASE 16-10 (CUP): A Request for Conditional Use Permit, Lot 7 of FARM SUBDIVISION, known as 913 Davidson Drive, Ortega/Owner.**

Motion to Waive the Reading of the Finding of Facts with Respect to Case 16-10 by Commissioner Armstrong.

Second by Commissioner Childress.

The motion passed by a vote of six to zero.

Chair Brown: Is there anyone wishing to speak in favor of 16-10?

Sonia Ortega, residing at 913 Davidson Drive: Asked to approach the dais to present a letter she wrote and photos she wanted to show the Commission.

Mr. Morris: There is also a letter on the dais in front of you that is retracting an earlier letter of objection.

Mrs. Ortega: I am seeking to get licensed for up to 12 children for child care (in my home). I have four (4) children of my own. That's the reason I want to increase to twelve (12). I will have more children, but the same amount of traffic. The neighbor (who originally protested) thought I was going to open a center like the one down the street. In the past, I watched up to eight (8) children in my home, but he was not aware of it. He said it wasn't much difference if four (4) of the children are yours. I'm not going to have twelve (12) extra children above mine.

Commissioner Armstrong: In the paragraph you wrote that you plan to extend parking.

Mrs. Ortega: Earlier in the year, we got a bid from a contractor to increase the driveway. If I'm able to get approved, I can afford to make the driveway bigger.

Commissioner Armstrong: Is it easy access to the area in the back?

Mrs. Ortega: Yes, for ourselves. Not for clients.

Commissioner Taylor: I want clarification on parking. Will clients park in back?

Mrs. Ortega: No. It is a ten-minute drop-off time frame (in the front).

Commissioner Taylor: According to the law, it looks like you will need five (5) off-street spaces.

Mr. Morris: The concern we always have for daycares is pick-up and drop-off hours. It is a strange location, in a kind of cul-de-sac on a pie shaped lot. Staff recommendation is that we look at and monitor the site - with cars coming and going and not staying all day. Monitor extending the driveway.

Mrs. Ortega: The extension will create up to three (3) spaces in the front and removal of the fence in front.

Mr. Morris: Staff will support looking at this over a specific period of time with the City Engineer. Staff could support this with a review time.

Commissioner Taylor: This is a tough (decision) with this site. I'm concerned about the parking. If staff recommends looking at this and giving it a try.

Mr. Najar: I'm very concerned about drop-off and pick-up and traffic. Mrs. Ortega, are you saying that you and your family and staff will park in the back?

Mrs. Ortega: The young lady who will be helping me part time will be dropped-off or picked-up and will not be parking on the site in the front or back.

Mr. Najar: Your helper has two (2) kids?

Mrs. Ortega: She has two (2) children of her own she will be bringing. There's a neighbor with three (3) children, and a family member who has three (3) children. Three different vehicles will pick-up and drop-off.

Commissioner Taylor: (In the Code), Parking (for this use) is three (3) plus one (1) per three (3) children, that would be seven (7) spaces.

Mrs. Ortega: We could fit up to nine (9) cars.

Commissioner Taylor: The code is probably conservative. I believe the code is very conservative.

Mr. Najar: Mrs. Ortega, how soon would you widen the driveway? (Place) family and staff parking in rear. We will evaluate at one (1) month and at six (6) months on how it is going, and that at six (6) months you will follow through (with increasing the front drive pad). Do you have your permit (Childcare Permit from the State)?

Mrs. Ortega: I passed the city inspections from the Fire Marshall, FBI background, and was waiting for this approval before the final step.

Commissioner Storey: You may consider creating a circular drive, but not certain you have the room.

Mrs. Ortega: My husband and I talked about that. We would be fine with that.

**Chair Brown: any other questions? Thank you very much.
Anyone else wishing to speak in favor of 16-10.**

Chair Brown: There was a lot of talking going on regarding reviews.

Mr. Morris: We recommend a one (1) month review and a six (6) month review for the paving. I agree with the eyebrow pull through but may be a tight geometry.

Commissioner Gross: I think we are addressing a parking issue six (6) months from now and need to address parking now.

Mr. Najar: Staff and I are trying to be compassionate for their economic needs. It's up to the commission.

Commissioner Gross: We can address this to her situation specifically?

Mr. Najar: That is correct. Her kids could grow up and she would have twelve (12) individual kids. I understand what she is trying to do, and I agree a better situation could be found somewhere else.

Chair Brown: If this is passed, there are some checks and balances that have to be fulfilled.

Mrs. Ortega: One more thing I didn't mention. At the first of the year, we were looking to find a commercial property. Once our income is steady, our goal is to get into a commercial property within two (2) years.

Chair Brown: Is there anyone wishing to speak against or have comments or questions regarding Case 16-10?

There were none who spoke.

Chair Brown: Appeals are due in writing before noon on Thursday. The decision (made by this Commission) can be appealed to City Council.

MOTION: CASE 16-10

Commissioner Armstrong made a motion to approve Case 16-10 with restrictions of Staff site visits initially during the first month and every month during the first year and every quarter thereafter, and paved parking in the front yard for three vehicles within six months, based on finding of facts and testimony given with the stipulation of working with the City if there are issues with parking.

**Second by Commissioner Storey.
The motion passed by a vote of six to zero.**

G. OTHER BUSINESS

1. Discussion of Proposed Text Amendment to Create Office Zoning District (non-action item).

Mr. Morris: Mr. Chairman, Commissioners, I've been looking through the zoning code and it appears to me we are missing an office district. You have a hand out that provides some scenarios for including Office Districts.

Offices are usually a daytime use between 8 a.m. and 5 p.m. Offices are the type of uses that can serve as a buffer between commercial and residential.

Exhibit Two is a common scenario to step down from Commercial to Residential density. Retail uses often go into the evening.

In some planning agencies, this is called feathering or transitioning. Office is usually a day-time use while people are away at work during the day.

We have blocks of residentially zoned districts that have some properties that want to create office type uses. We don't want to plop commercial zones down in residential zones. There are properties in R-2 and R-3 that could be developed for 20,000 or 30,000 square foot office space. These offices could be designed to be compatible with surrounding residential.

Mr. Morris read a list of types of uses typically found in Office zoning districts.

Commissioner Armstrong: Personally, I know where you are coming from with this. As realtors, we are encountering this right now. Homes in the downtown historic district are being converted into office space.

Lubbock is an example. One thing that businesses do is keep property values higher. I'm for this because I think I know where we need to go in the future with this. It flows well, and I think it makes sense.

Mr. Morris: An Office District is a tool in the (planning and zoning) toolkit. An area surrounded by residential can have office projects that look more like residential.

Commissioner Taylor: I like this idea (of a Business District) as well, and we need it in the zoning code. What became apparent to me is the need for design, parking and circulation and maybe (the code needs to provide) a little lengthy and detailed (description) so we can develop these zones the way we want to.

Chair Brown: What do we need to do?

Mr. Morris: Just a general nod (to proceed with developing code for a text amendment to the Zoning Ordinance).

Chair Brown: Go forth.

H. PUBLIC COMMENTS

Mr. Najar: During August and September, we are repairing the pedestrian bridge at the Roswell Museum and Art Center (RMAC). You will need to enter through the (Eleventh) Street side (for the August and September Planning & Zoning Commission meetings).

You know we have an interim city manager who will be leaving at the end of August. The City is going to hire a professional temporary firm while a search is underway.

Until we have a full time city manager, we are going to slow down on code and ordinance changes, because the flag bearer will be the city manager.

I want to give you kudos on the process tonight –on the way you read the packet and the ordinance and work with staff.

The City Attorney (Bill Zarr) is leaving in August. (Last day was August 2, 2016).

Deanna Phillips, Director of Public Affairs, is leaving on August 15.

Interim City Manager, Jonathan Phillips, is leaving at the end of August.

Staff will continue to try to do the best for the City and stay professional, and stay technical.

Commissioner Storey: Merideth, please remind us to use the (Eleventh) Street entrance at the next meeting.

I. ADJOURN

The meeting adjourned at 6:47 p.m.